

UNITED STATES COURT OF APPEALS

FOR THE FIRST CIRCUIT

RICHARD CUSHING DONOVAN  
CLERK,

One Courthouse Way  
Suite 2500  
Boston, MA 02210  
617-748-9057

November 3, 2004

✓  
William Ruane, Acting Clerk  
United States District Court  
for the District of Massachusetts  
1 Courthouse Way, Suite 2300  
Boston, MA 02210

Re: Case No. 04-CV-40178 Leigh M. Olsen v. Stephen O'Brien, et al.

Dear Mr. Anastas:

Enclosed please find a motion that this court requests that you construe as a notice of appeal that was mistakenly filed in the United States Court of Appeals for the First Circuit.

In accordance with Fed.R.App.P. 4, the notice of appeal is transmitted herewith. Please use the date of November 2, 2004, as the date of docketing this filing. *If a notice of appeal has already been received in your court, please do not duplicate.*

As soon as possible, please certify the district court documents to us.

Sincerely,

By:   
District Court Liaison

DB/file

cc: Leigh M. Olsen  
NCCI, PO Box 466  
500 Colony Rd.  
Gardner, MA 01440-0466

04-40178-FDS

2004 NOV -2 A 11: 04  
IN THE

FILED IN CLERKS OFFICE  
US DISTRICT COURT OF APPEALS  
FOR THE FIRST CIRCUIT  
FOR THE FIRST CIRCUIT

Misc. No. \_\_\_\_\_

IN RE:

LEIGH M. OLSEN,  
PETITIONER,

PETITION FOR ISSUANCE OF WRIT OF  
EXTRAORDINARY POWERS FOR ISSUANCE  
FOR ISSUANCE OF HABEAS CORPUS OR  
ORDER TO SHOW CAUSE IN THE U. S.  
DISTRICT COURT FOR MASS.

---

NOW COMES LEIGH M. OLSEN, THE PETITIONER, AND MOVES  
THIS HONORABLE TRIBUNAL OF JURIST, TO ISSUE AN ORDER (\*)  
COMMANDING THE U. S. DISTRICT COURT SITTING IN WORCESTER  
CENTRAL SECTION, TO ISSUE/AWARD THE WRIT OR ISSUE AN  
ORDER DIRECTING THE RESPONDENT TO SHOW CAUSE WHY THE  
WRIT SHOULD NOT BE GRANTED.

PETITIONER HAS EXHAUSTED HIS STATE REMEDIES IN THE  
MASS. SUPREME JUDICIAL COURT, BY FILING HIS IDENTICAL  
CLAIMS INTO THAT COURT, AND THAT COURT REMAINED SILENT  
AND AFTER SEVERAL WEEKS PASSING, HE FILED INTO THE U. S.  
DISTRICT COURT AND PAID HIS FILING FEE ON TWO OCCASIONS.

PETITIONER PRESENTED HIS FEDERAL CASE LAW(S)  
AUTHORITIES TO THE STATE COURTS, AND THOSE COURTS REFUSED  
TO ENFORCE THE FEDERAL LAWS. THE FEDERAL JUDGE WAS PUT ON  
NOTICE OF THE [F]EDERAL [A]UTHORITIES PRESENTED WITHIN THE  
(\*) §2243

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(3\*) §2243

FOURCORNERS OF HIS PETITION, PLAINLY FOR THE FEDERAL JUDGE AND HIS LAW CLERK TO READ, AND YET THE JUDGE WITHOUT BEING IN OBEDIENCE WITH THE ACT OF THE UNITED STATES CONGRESS (TITLE 28 USCS §2243), pretermitted the statutory law AND ASSERTED RULES OF PROCEDURE AS CONTROLLING LAW. SUCH ACTIONS WERE USED TO OBSTRUCT AND IMPEDE THE ADMINISTRATION OF JUSTICE ACCURED TO THIS PETIT-[IONER[.

RELIEF REQUESTED


THAT THIS COURT ISSUE AN ORDER COMMANDING THE JUDGE IN THE COURT TO ISSUE THE 'GREAT WRIT' AND RELEASE HIM FROM ALL CUSTODY, OR ISSUE AN ORDER COMMANDING THE RESPONDENT STATE PRISON OFFICIAL TO FILE AN "ANSWER" TO EACH CLAIM PEESENTED WITHIN THE PRO SE PETITION FOR WRIT OF HABEAS CORPUS AD SUBJICIENDUM AGAINST FALSE IMPRISONMENT.

PETITIONER REQUEST THAT AN ORDER COMMANDING THE DEPUTY U. S. MARSHALLS TAKE CUSTODY OF HIM, ONCE STATE PRISON GUARDS ESCORT HIM TO THE FEDERAL COURTHOUSE BUILDING, FOR APPEARANCE BEFORE THE JUDGE.

IT IS SO REQUESTED.

OCTOBER 29, 2004

RESPECTFULLY REQUESTED,

  
LEIGH M. OLSEN, PRO SE  
NCCI P.O. BOX 466  
500 COLONY ROAD  
GARDNER, MA 01440-0466

L.  
L.

# CONSTITUTION

## OF THE

# UNITED STATES OF AMERICA

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### HABEAS CORPUS

Art I, § 9, cl 2

Sec. 9, Cl. 2. Habeas corpus.

The privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it.

**§ 2243. Issuance of writ; return; hearing; decision**

A court, justice or judge entertaining an application for a writ of habeas corpus shall forthwith award the writ or issue an order directing the respondent to show cause why the writ should not be granted, unless it appears from the application that the applicant or person detained is not entitled thereto.

The writ, or order to show cause shall be directed to the person having custody of the person detained. It shall be returned within three days unless for good cause additional time, not exceeding twenty days, is allowed.

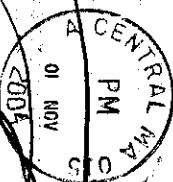
The person to whom the writ or order is directed shall make a return certifying the true cause of the detention.

When the writ or order is returned a day shall be set for hearing, not more than five days after the return unless for good cause additional time is allowed.

LEIGH M. OLSEN  
NCT P.O. BOX 466  
500 COLONY ROAD  
SABDNER, MA 01440-0466  
N64686

**USMS**  
**SCREENED**

OFFICE OF THE CLERK  
UNITED STATES COURT OF APPEALS  
UNITED STATES COURTHOUSE  
1 COURTHOUSE WAY - SUITE 2500  
BOSTON, MASSACHUSETTS 02210



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SUN/MON  
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LEIGH M. OLSEN